Sri K. F. PATIL (Minister for Transport and Forest).—I beg to lay on the Table:

The Madras Preservation of Private Forests Continuance Ordinance, 1959 under Article 213(2) of the Constitution of India.

Sri H. M. CHANNABASAPPA (Minister for Public Works).—I beg to lay on the Table:

Notification No. PWD 196 GTC 57, dated 9th October 1959 issued under sub-section (i) of section 30-c of the Mysore Irrigation Act, 1932.

SECRETARY.—I beg to lay on the Table:

‡ Replies to 234 starred questions of the previous sessions.

REPORT OF THE BUSINESS ADVISORY COMMITTEE.

(Presentation)

Mr. SPEAKER.—I present to the House the Report of the Business Advisory Committee.

Sri L. H. THIMMA BOVI (Deputy Speaker).—I beg to move:

"That the Report of the Business Advisory Committee be adopted."

The motion was adopted.

Sri M. C. NARASIMHAN (Kolar Gold Fields).—We do not have the Report with us. How can we agree to something of which we do not know?

Mr. SPEAKER.—The member may find the Report in the pigeon-holes.

(Several members rose and protested.)

Sri M. C. NARASIMHAN.—It should be made available to us in advance and then taken up in the House.

Sri G. VENKATAI GOWDA (Palyam).—It was not in the pigeon-holes till 8-30 A.M. when we picked up our papers. It must have been placed afterwards.

Mr. SPEAKER.—It was placed in the pigeon-holes. Members should see carefully.

Sri BADRINARAYAN (Thirthahalli).—I got the Report in time. It is a single sheet and probably members may have mixed it with other papers.

Sri G. VENKATAI GOWDA.—We reiterate that it was not placed in the pigeon-holes in time.

MYSORE POLICE BILL, 1959.

Introduction.

Sri B. D. JATTI (Chief Minister).—I beg to introduce the Mysore Police Bill, 1959.

Mr. SPEAKER.—The Bill is introduced.

Members' Representations.

Sri B. K. PUTTARAMIYA (Channapatna).—I had given notice of an adjournment motion.

Mr. SPEAKER.—It would be taken up on Monday.

Sri U. M. MADAPPA (Chamarajanagar).—The Police Bill has not been supplied to us.

Mr. SPEAKER.—It would be supplied only after introduction.

LAND ACQUISITION (MYSORE EXTENSION AND AMENDMENT) BILL, 1958.

Motion to concur in the appointment of Joint Select Committee (contd).

ಅಧ್ಯಕ್ಷರು.— ಇನ್ನು ಈಗ ಚರ್ಚೆಯಾಗತಕ್ಕ ಬಿಲ್ಲಿಗೆ ಇರತಕ್ಕ ಒಟ್ಟು ವೇಳೆಯಲ್ಲಿ ಕೇವಲ ಒಂದು ಗಂಟೆಯ ಕಾಲ ಮಾತ್ರ. ಅಷ್ಟರೊಳಗೆ ಈ ಬಿಲ್ಲು ಮುಗಿಯುಬೇಕು. ಈಗ 10 ಗಂಟೆಗೆ 15 ನಿಮಿಷಗಳಿವೆ. ಮಂತ್ರಿಗಳಿಗೆ ಉತ್ತರ ಕೊಡಲು 15ನಿಮಿಷಗಳಾದರೂ ಬೇಕು. ಆದುದರಿಂದ ಎಷ್ಟೇ ಜನ ಸದಸ್ಯರು ಮಾತನಾಡುವುದಿದ್ದರೂ ಈ ಮನೂದೆಯ ಮೇಲಿನ ಚರ್ಚೆಯನ್ನು 45 ನಿಮಿಷಗಳಲ್ಲಿ ಮುಗಿಸಬೇಕಾಗಿದೆ.

ಶ್ರೀ ಬಿ. ಕೆ. ಪುಟ್ಟರಾಮಯ್ಯ (ಚನ್ನಪಟ್ಟಣ).— ಲ್ಯಾಂಡ್ ಅಕ್ವಿಜಿಷನ್ ಮನೂದೆಯು ಬಹಳ

‡ These have been printed separately in a Supplement to this number.

ಪ್ರಾಮುಖ್ಯತೆಯುಳ್ಳದ್ದು. ತತ್ಪಾಪಿ ವಿರೋಧಪಕ್ಷದವರಿಗಂತೂ ಇದರ ಅಗತ್ಯ ಬಹಳ. ಈ ವಿಚಾರದಲ್ಲಿ ಪೆಟ್ಟಿನ ತೊಂದರೆಗೊಳಗಾಗಿರತಕ್ಕವರೂ, ಮುಂದೆ ಒಳಗಾಗತಕ್ಕವರೂ ವಿರೋಧ ಪಕ್ಷದವರು ಮಾತ್ರವೇ. ಆದುದರಿಂದ ಜಾಯಿಂಟ್ ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯ ಸದಸ್ಯರನ್ನು ನೇಮಿ ಸತಕ್ಕ ಕಾಲದಲ್ಲಿ ವಿರೋಧಪಕ್ಷದವರಿಗೆ ಸಾಕಷ್ಟು ಸ್ಥಾನಗಳನ್ನು ಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.ಹಾಗೆ ಆಗ ಪುವಿಲ್ಲವೆನ್ನುವುದಾದರೆ ಅವರವರೇ ಕುಳಿತು ಇಲ್ಲೇ ಇದನ್ನು ಸಾಸ್ ಮಾಡಿ ಕೊಳ್ಳಬಹುದು. ಅದಕ್ಕೂ ಕೂಡ ನಾನೇನೂ ಅಗಬಾರದೆಂದು ಹೇಳುವುದಿಲ್ಲ.

Sri K. S. SURYANARAYANA RAO (Mysore City).— Representation has been given in the Select Committee to the Members of the Opposition as usual. There is no departure now.

Sri B. K. PUTTARAMIYA.—I do not understand what . . .

Mr. SPEAKER.—Please do not talk across the table.

ಶ್ರೀ ಪ್ಯೆ. ವೀರಪ್ಪ (ಹೊಳೆನರಸೀಪುರ).—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಈ ಮಸೂದೆಯ ಮೇಲೆ ನಿನ್ನೆಯಿಂದಲೂ ಅನೇಕ ಮಾನ್ಯ ಸದಸ್ಯರುಗಳು ತಮ್ಮ ತಮ್ಮ ಅಭಿಪ್ರಾಯಗಳನ್ನು ವ್ಯಕ್ತಪಡಿಸಿದ್ದಾರೆ. ನಾವು ಇಲ್ಲಿಯವರೆಗೂ ಆಗಿರತಕ್ಕ ಈ ವಿಚಾರದಲ್ಲಿ ನಮ್ಮ ಹಿಂದಿನ ಅನುಭವಗಳನ್ನು ನೋಡಿದರೆ ಈ ರ್ಯಾಂಡ್‌ಅಕ್ವಿಜಿಷನ್ ವಿಚಾರದಲ್ಲಿ ಸರ್ಕಾರದವರ ಒಂದು ಥೋರಣೆಯೇನಿದೆಯೆಂದರೆ ಆ ಥೋರಣ್ ದೇಶಾಭ್ಯುದಯಕ್ಕಾಗಲೀ ಸಮಾಜದ ಅಭ್ಯುದಯಕ್ಕಾಗಲೀ ಅನ್ಯಯಿಸುವುದಾಗಿದ್ದಂತೆ ಕಂಡುಬಂದಿಲ್ಲವೆಂದು ಹೇಳಬೇಕಾಗಿದೆ. ಈಗಾಗಲೇ ನನ್ನ ಅನೇಕ ಮಾನ್ಯ ಮಿತ್ರರುಗಳು ಹೇಳಿರುವಂತೆ ಸರ್ಕಾರದವರು ಇಲ್ಲಿಗೆ ಸುಮಾರು 5-6 ವರ್ಷಗಳಿಂದಲೂ ಯಾವುದಾದರೊಂದು ಸಾರ್ವಜನಿಕ ಹಿತಕ್ಕೋಸ್ಕರವಾಗಿ ಒಂದು ಜಮೀನನ್ನು ಅಕ್ವಯಿರ್ ಮಾಡಿಕೊಳ್ಳಬೇಕಾದ ಪ್ರಸಂಗ ಬಂದಾಗ ಸರ್ಕಾರದವರ ಆ ಒಂದು ಮುಂದಸ್ಯಭಾವದ ಥೋರಣೆಯಿಂದ ಯಾವ ಜಮೀನನ್ನು ಅವರು ಅವಶ್ಯಕವಾಗಿ ಅಕ್ವಯಿರ್ ಮಾಡಿಕೊಳ್ಳಬೇಕಾಗಿತ್ತೋ ಆ ಜಮೀನು ಸಿಕ್ಕದಂತಾಗಿ ಆ ಪ್ರದೇಶದ ಡ್ಯಾಗಬೇಕಾದಂಥ ಪ್ರಗತಿಕಾರ್ಯಗಳಿಗೆ ಧಕ್ಕೆ ಉಂಟಾಗಿರುತ್ತದೆಂಬ ಅಂಶ ಈಗಾಗಲೆ ಅನೇಕರಿಗೆ ಗೊತ್ತಿರತಕ್ಕದ್ದೇ ಆಗಿದೆ. ಸರ್ಕಾರದವರು ಇಂಥ ಒಂದು ಬಿಲ್ಲನ್ನು ತರಬೇಕಾಗಿದ್ದರೆ ಅಥವಾ ಒಂದು ಕಾನೂನನ್ನು ದೇಶದಲ್ಲಿ ಜಾರಿಗೆ ತರಬೇಕಾಗಿದ್ದರೆ ಅದರಿಂದ ದೇಶದ ಸರ್ವತೋಮುಖವಾದ ಅನುಕೂಲವನ್ನೂ ದೇಶದ ಅಭ್ಯುದಯವನ್ನೂ ಅದು ಸಾಧಿಸುವಂತಿದ್ದರೆ ತರಬೇಕೇ ಹೊರತು ಇಲ್ಲದಿದ್ದರೆ ತರಬಾರದು. ಆದರೆ ಈಗ ತಂದಿರುವ ಪ್ರಸಕ್ತ ಮಸೂದೆಯಲ್ಲಿ ಅಂಥ ಉಪಯುಕ್ತವಾದ ಅಂಶಗಳೇನಾದರೂ ಇವೆಯೇ ಎಂದು ನೋಡಿದರೆ ಅಂಥಾದ್ದು ಒಂದೂ ಕಾಣಿಸುತ್ತಿಲ್ಲ. ಕೇವಲ ಕೆಲವು ವಿಚಾರಗಳಲ್ಲಿ ಎಗ್ಸಿಕ್ಯುಟೀವ್ ಪವರುಗಳನ್ನು ಹೆಚ್ಚು ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂಬುದಾಗಿಯೂ, ಪರಿಹಾರದ್ರವ್ಯವನ್ನು ನೀಡತಕ್ಕ ವಿಚಾರದಲ್ಲಿ ಸರ್ಕಾರದವರಿಗೆ ಹೆಚ್ಚಿನ ಅಧಿಕಾರವಿರಬೇಕೆಂಬುದಾಗಿಯೂ ಮತ್ತು ಈ ಅವಾರ್ಡ್‌ಗಳನ್ನು ಕೊಡತಕ್ಕ ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ಎಮರ್ಜನ್ಸಿ ಕೇಸುಗಳೆಂಬುದು ಕೆಲವು ಕೇಸುಗಳನ್ನು ತೆಪ್ಪಗಟ ಕಮಿಷನರುಗಳಿಂದ ಸರ್ಕಾರಕ್ಕೆ Fileನ್ನು ನೇರವಾಗಿ ತರಿಸಿಕೊಳ್ಳುವುದು ಇಷ್ಟೇ ಇದರಲ್ಲಿ ಪ್ರಮುಖವಾಗಿದ್ದಂತೆ ಕಂಡುಬರುತ್ತಿರುವುದು.

ಈ ಥೋರಣೆ ಎಷ್ಟುಮಟ್ಟಿಗೆ ಇದಕ್ಕೆ ಸಹಾಯವಾಗುತ್ತದೆಯೆಂಬುದನ್ನು ನೋಡಿದರೆ, ನಾನು ಮೊದಲೇ ಹೇಳಿದ ಹಾಗೆ, ಜನಗಳ ಹಕ್ಕು ಬಾಧ್ಯತೆಗಳ ಬಗ್ಗೆ ಅಷ್ಟು ಗೌರವವನ್ನು ಕೊಟ್ಟಿಲ್ಲವೆಂದು ಗೊತ್ತಾಗುತ್ತದೆ.

ರಾಜ್ಯಾಂಗದ ಆರ್ಟಿಕಲ್ಲು 19 (f)ರಲ್ಲಿ ಹೇಳಿರುವಂತೆ ನಿರ್ದಿಷ್ಟವಾದ ಸೂಚನೆಗಳ ಪ್ರಕಾರ—ಯಾವುದಾದರೂ ಒಂದು ಆಸ್ತಿಯನ್ನು ವಶಪಡಿಸಿಕೊಳ್ಳಬೇಕಾದರೆ, ಸರ್ವತೋಮುಖವಾದ ಜನಗಳ ಹಿತದೃಷ್ಟಿಯಿಂದ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೆ, ಸರಕಾರ ಅವನಿಗೆ ಸರಿಯಾದ ಪರಿಹಾರಗಳನ್ನು ಕೊಡಬೇಕು. ಆ ರೀತಿಯಾದ ನಿರ್ದಿಷ್ಟವಾದ ಸೂಚನೆ ಇದರಲ್ಲಿಲ್ಲ. ಇದರ ಪ್ರಯೋಜನ ಒಕ್ಕಪಕ್ಕದ ಜನಗಳಿಗೆ ಇರುವಂತಾಗಬೇಕು. ಅಕ್ಟಿಜಿಷನ್ ಪ್ರೊಸೀಡಿಂಗ್ಸ್ ಆದ ಮೇಲೂ ಯಾವುದೋ ಒಂದು ಕಡೆಯಿಂದ ಒತ್ತಾಯ ಬಂದ ಸಂದರ್ಭದಲ್ಲಿ ಅವು ಅಲ್ಲಿಗೇ ನಿಂತು ಹೋಗಬಹುದು.

ನಿನ್ನೆಯ ದಿವಸ ಮಾತನಾಡಿದ ನನ್ನ ಮಾನ್ಯ ಮಿತ್ರರಾದ ಶ್ರೀಮಾರ್ ಮುಕ್ಕಣ್ಣಪ್ಪನವರು ಒಂದು ಸಮಾಚಾರವನ್ನು ಹೇಳಿದರು. ಈ ಬಿಲ್ಲನ್ನು ತಂದಾಗ ನಮ್ಮ ಮಾನ್ಯ ರೆವಿನ್ಯೂ ಸಚಿವರಾದ ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪನವರ ಕಡೆಯ ಒಂದು ಊರಿನಲ್ಲೇ ಆಗಿರತಕ್ಕ ವಿಚಾರವನ್ನು ನೋಡಿದರೆ, ಅದು ಬಹಳ ಚಿಂತಾಜನಕವಾಗಿದೆ. ಶಿವಮೊಗ್ಗದಲ್ಲಿ ಅಲ್ಲಿನ ಮುನಿಸಿಪಾಲಟಿಯವರು ಜನಗಳ ಹಿತದೃಷ್ಟಿಯಿಂದ ಒಂದು ಜಮೀನನ್ನು ಅಕ್ವೈರು ಮಾಡಬೇಕೆಂದು ಸರಕಾರಕ್ಕೆ ಮೊದಲೇ ಮನವಿ ಮಾಡಿದ್ದಾರೆ. ಸುಮಾರು ಐದಾರು ವರ್ಷಗಳು ಕಳೆದನಂತರ ಆ ಜಮೀನಿನ ಮಾಲೀಕರಾದವರು ಸರಕಾರದ ಚೀಫ್ ಸೆಕ್ರೆಟರಿಗಳಿಗೂ ಕೂಡ ನೋಟೀಸನ್ನು ಕೊಟ್ಟಿದ್ದರು. ಅವರು ಸರಕಾರದ ಥೋರಣೆಯೇನು, ಈ ರೀತಿ ಸರಕಾರ ಜಮೀನು ತೆಗೆದುಕೊಂಡು ದುಡ್ಡನ್ನು ಇಷ್ಟು ಕಾಲವಾದರೂ ಕೊಡದಿರಲು ಕಾರಣವೇನು ಮತ್ತು ಜಮೀನನ್ನು ಆಬಾದು ಮಾಡಲು ಅವಕಾಶವನ್ನೂ ಕೊಡುತ್ತಿಲ್ಲ, ದುಡ್ಡನ್ನು ಕೊಡುತ್ತಿಲ್ಲ ಎಂದು ಹೇಳಿ ನೋಟೀಸು ಕೊಟ್ಟ ಮೇಲೆ ಚೀಫ್ ಸೆಕ್ರೆಟರಿಯವರು ಪುನಃ ಈ ಫೈಲನ್ನು ಮುನಿಸಿಪಾಲಿಟಿಗೆ ವಾಪಸು ಕಳಿಸಿದ್ದಾರೆ. ಮತ್ತು ಇಲ್ಲಿಯ ವರೆಗೆ ದುಡ್ಡು ಕೊಟ್ಟರೋ ಇಲ್ಲವೋ ಗೊತ್ತಿಲ್ಲ.

ಈಗ ಈ ವಿಚಾರದ ಬಗ್ಗೆ ಹೈಕೋರ್ಟಿನಲ್ಲಿ writ ಅರ್ಜಿಯೊಂದನ್ನು ಕೇವಲ ಕೆಲವಾರು ತಿಂಗಳುಗಳ ಹಿಂದೆದಾಖಲು ಮಾಡಿದ್ದಾರೆ. ಹೀಗೆ Judicial Powers ಗಳನ್ನು curtail ಮಾಡಿ Executive Powers ನ್ನೆಲ್ಲ ಸರಕಾರ ತೆಗೆದುಕೊಂಡರೆ ಅದು ನಿಜವಾಗಿಯೂ ಸರಿಯಾಗಿರುವುದಿಲ್ಲ.

Sri KADIDAL MANJAPPA (Minister for Revenue).—I want to know from the Hon'ble Member what is the action taken by Government in connection with the land referred to by him which is said to be situated in Shimoga Town. I am not aware of any such case pending before Government.

Sri Y. VEERAPPA.—I shall let you know the entire proceedings pending in the form of a writ petition befor-the High Court. Please give me some time. I am talking on the basis oe facts.

ಈ ದೃಷ್ಟಿಯಿಂದ ಸರ್ವತೋಮುಖವಾಗಿ ಜನಗಳ ಹಿತಸಾಧನೆಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆಯೇ ಇಲ್ಲವೇ ಎನ್ನುವುದನ್ನೆಲ್ಲಾ ನೋಡಿ ಒಪ್ಪಿಕೊಳ್ಳಬೇಕಾಗುತ್ತದೆ. ಬೊಂಬಾಯಿ, ಮದರಾಸು, ಕೊಡಗಿನ ಎಂದು ಎಲ್ಲ ಕಡೆಗೂ ಅನ್ವಯಿಸುವಂತಹ ಕಂಟ್ರೋಲಿಗೆ ಕಾನೂನನ್ನು ಮಾಡಬೇಕೆನ್ನುವುದರಲ್ಲಿ ನನ್ನ ಅಭ್ಯಂತರವೇನಿಲ್ಲ.

ಇನ್ನು ಬಡ್ಡಿಯ ವಿಚಾರದಲ್ಲಿ ಹೇಳುತ್ತಾ ಇಲ್ಲಿಯವರೆಗೆ ಶೇಕಡಾ ಆರರಷ್ಟಿರುವುದನ್ನು ಶೇಕಡಾ ನಾಲ್ಕೂವರೆಯಂತೆ ಮಾಡಬೇಕೆನ್ನುವ ಸೂಚನೆ ಇದರಲ್ಲಿದೆ. ಇದನ್ನು ನೋಡಿದರೆ ನಿಜವಾಗಿಯೂ ಆಸ್ತಿಯನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೆ ಅವನಿಗಿರತಕ್ಕ ಹಕ್ಕುಬಾಧ್ಯತೆಗಳನ್ನು ಮೊಟಕು ಮಾಡಿರುವುದು ಅಷ್ಟು ಚೆನ್ನಾಗಿ ಕಾಣುವುದಿಲ್ಲ. ವ್ಯಕ್ತಿಯ ಹಿತವನ್ನು ಮತ್ತು ಸಾರ್ವಜನಿಕರ ಹಿತವನ್ನು ನೋಡಿಕೊಳ್ಳದೆ ಹೀಗೆ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ವ್ಯಕ್ತಿಗೆ ಸರಿಯಾದ ರಕ್ಷಣೆಯನ್ನು ಕೊಟ್ಟು ಹಿಡಿದೆ ಯಾವ ರೀತಿಯಾಗಿತ್ತೋ ಅದೇ ರೀತಿಯಾಗಿ ಶೇಕಡಾ ಆರರಷ್ಟು ಬಡ್ಡಿ ಇರಬೇಕೆಂದು ನಮೂದು ಮಾಡುವುದು ಸರಿಯಾಗಿರುತ್ತದೆ ಎಂದು ನನ ಪ್ರಾರ್ಥನೆ.

ಟೆನೆನ್ಸಿ ಆಕ್ಟ್‌ನಲ್ಲಿಯೂ ಸಹ ಫೇರ್ ರೆಂಟನ್ನು ನಿಗದಿ ಮಾಡುವಾಗ ಎಲ್ಲ ವಿಚಾರಗಳನ್ನೂ ಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡು ಒಂದು ನಿರ್ದಿಷ್ಟವಾದ ರೀತಿಯಲ್ಲಿ ನಿಗದಿ ಮಾಡಬೇಕೆಂದು ಸೂಚನೆ ಇದೆ. ಆದರೆ ಇದರೊಳಗೆ ಆ ರೀತಿಯಾಗಿ ಯಾವ ನಿರ್ದಿಷ್ಟವಾದ ಸೂಚನೆಗಳನ್ನೂ ಕೊಟ್ಟಿಲ್ಲ. ಮಾನ್ಯ ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪನವರು ಪಕೀಲರೂ ಆಗಿದ್ದವರು ಮತ್ತು ಅನುಭವವನ್ನು ಪಡೆದಿದ್ದವರು. ಅವರಿಗೆ ಇದೆಲ್ಲ ಚೆನ್ನಾಗಿ ಗೊತ್ತು. ನಮ್ಮ ಹೈಕೋರ್ಟ್‌ಗಳ ಕಡಿತದಲ್ಲಿರುವ ಕಾನೂನುಗಳೆಲ್ಲ ನಿರ್ದಿಷ್ಟವಾದ ಸೂಚನೆಗಳಿವೆ. ಅಂತಹ ಸೂಚನೆಗಳನ್ನು ಈ ಮಸೂದೆಯಲ್ಲಿ ಅಳವಡಿಸಿದ್ದಾರೆಯೆ ಎಂದು ನೋಡಿದರೆ, ಅವು ಏನೂ ಇಲ್ಲ. ಅದಕ್ಕೆ ಬದಲಾಗಿ ಯಾವುದೋ ಒಂದು ಕಂದಾಚಾರದ ರೀತಿಯಲ್ಲಿ ಹೋಗುವಂತಹ ಅವಕಾಶವನ್ನು ಇಲ್ಲಿ ಕೊಡಲಾಗಿದೆ. ಇಲ್ಲಿನ ಜಮೀನಿನ ಪರಿಸ್ಥಿತಿಯೇನು, ಎಷ್ಟು ಬೆಳೆ ಬೆಳೆಯುತ್ತಿದ್ದಾರೆ, ಇಲ್ಲಿನ ಜನಗಳ ಪರಿಸ್ಥಿತಿ ಈ ಕಾನೂನನ್ನು ಅನ್ವಯಿಸುವುದರಿಂದೇನಾಗುತ್ತದೆ ಎನ್ನುವುದರ ಬಗ್ಗೆ ಯಾವ ಸೂಚನೆಯೂ ಇಲ್ಲ. ಒಂದು ಆಸ್ತಿಪಾಸ್ತಿಯ ವಿಚಾರದಲ್ಲಿ ವ್ಯವಹಾರ ಮಾಡುವಾಗ ಒಬ್ಬ ಮನುಷ್ಯನ ಆಸ್ತಿಯನ್ನು ಅಕ್ವೈರು ಮಾಡುವಾಗ ಈ ರೀತಿಯಾದ ಸೂಚನೆ ಮಾಡುವುದು ಒಳ್ಳೆಯದು.

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಸೆಂಟ್ರಲ್ ಆಕ್ಟ್ 23 ರಲ್ಲಿ ಇವೆಲ್ಲ ನಿಗದಿಯಾಗಿವೆ.

ಶ್ರೀ ಪ್ಯೆ. ವೀರಪ್ಪ.—ನಿರ್ದಿಷ್ಟವಾದ ಸೂಚನೆಗಳು ಬೇಕಾಗುತ್ತವೆ. ಸಾಗೆ ಇಲ್ಲಿ ಸೂಚನೆಗಳಿಲ್ಲದೆ ಸುಮ್ಮನೆ ಹೊಗುವಾಗಿವೆ. ಇಲ್ಲಿ ತಂದಿರುವ ಮಸೂದೆ ಅಷ್ಟು ಚೆನ್ನಾಗಿಲ್ಲ. ನಿರ್ದಿಷ್ಟವಾದ ಸೂಚನೆಗಳನ್ನು ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಅಡಕಮಾಡಿ ಸರಿಯಾದಂತಹ ಒಂದು ಕಾನೂನನ್ನು ಜಾರಿಗೆ ತಂದರೆ ಜನರಿಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆ. ಇನ್ನೊಬ್ಬರಿಂದ ಜಮೀನನ್ನು ಪಡೆಯುವಾಗ, ನಮ್ಮ ಅನುಭವಕ್ಕೆ ಬಂದಂತೆ, ವ್ಯಕ್ತಿಗೆ ಅನುಕೂಲವಾಗುವಂತೆ ಮಾಡುವುದು ಸಾಧುವಾದುದು. ಈಗ ಇರುವಂತೆ ಜಮೀನನ್ನು ಅಕ್ವೈರು ಮಾಡಿದರೆ ಅದರಿಂದ ಜನರಿಗೆ ಅನುಕೂಲವಾಗುವುದಿಲ್ಲ. ಭೂಮಾಲೀಕನಿಂದ ಅನೇಕ ತಕರಾರುಗಳು ಬಂದು ಅಕ್ವಿಜೀಷನ್ನಿನ ಪ್ರೊಸೀಡಿಂಗ್ಸ್ ಬಹಳ ವಿಳಂಬವಾಗಿ ಹೋಗುತ್ತವೆ. ಆದುದರಿಂದ ನಿರ್ದಿಷ್ಟವಾಗಿ ಎಂತೆಂತಹ ಆಧಾರದ ಮೇಲೆ ನಿಗದಿ ಮಾಡಬೇಕು ಎನ್ನುವುದರ ಬಗ್ಗೆ ಸ್ಪಷ್ಟವಾದ ಸೂಚನೆಗಳಿರುವುದು ಒಳ್ಳೆಯದು. ಇದನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳುತ್ತಾರೆಂದು ನಾನು ತಿಳಿದುಕೊಳ್ಳುತ್ತೇನೆ.

ಮತ್ತೆ ಮೂರನೆಯದು Executive Powers ಗಳನ್ನು ಜಾಸ್ತಿಯಾಗಿ ಕೊಟ್ಟಿರುವುದು ಅಷ್ಟೇನೂ ಸಾಧುವಾಗಿ ಕಾಣುವುದಿಲ್ಲ. ಅದಷ್ಟುಮಟ್ಟಿಗೆ ವ್ಯವಹಾರ ಬಗೆ ಹರಿಯಬೇಕಾದರೆ ಆಯಾ ಅಧಿಕಾರಿಗಳಿಗೆ ಅಧಿಕಾರವನ್ನು ಕೊಡಬೇಕು. ಯಾವ ನಂದರ್ಭದಲ್ಲಿ ರಿಕಾರ್ಡುಗಳನ್ನು ತರಿಸಿಕೊಳ್ಳಬೇಕೆನ್ನುವ ಸೂಚನೆ ಇದರಲ್ಲಿಲ್ಲ. ಮತ್ತೆ Irrigated lands ಮತ್ತು Arable lands ಯಾವುದೆನ್ನುವುದು ಇತ್ಯರ್ಥ ಮಾಡಿಲ್ಲ. ಈ ನಂದರ್ಭದಲ್ಲಿ ಅಕ್ವಿಸಿಷನ್ ಆಫೀಸರು ಅಲ್ಲಿ ಬೆಳೆಯತಕ್ಕ ಗಿಡಮರಗಳು ಮತ್ತು ತೋಟಗಳು ಇವೆಲ್ಲವನ್ನು ನೋಡಿ ಪರಿಹಾರವನ್ನು ಯಾವ ರೀತಿ ಕೊಡಬೇಕು ಎನ್ನುವ ವಿಚಾರವನ್ನು ಇದರಲ್ಲಿ ಸೇರಿಸಬೇಕು. ಈ ನಾಲ್ಕು ವಿಚಾರಗಳನ್ನು ನೋಡಿ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಸೆಂಟ್ರಲ್ ಆಕ್ಟಿನಲ್ಲಿ ಯಾವ ರೀತಿಯಾದ ನಿರ್ದಿಷ್ಟವಾದ ಸೂಚನೆಗಳಿವೆಯೋ ಅದೇ ರೀತಿ ಇದರಲ್ಲೂ ಸರಿಯಾದ ಸೂಚನೆಗಳನ್ನು ಸೇರಿಸಬೇಕಾಗಿತ್ತು. ಯಾವ ಆಧಾರದ ಮೇಲೆ ಶೇಕಡಾ ಆರರಷ್ಟಿದ್ದದ್ದನ್ನು ಶೇಕಡಾ 4½ಯಷ್ಟು ಎಂದು ನಿಗದಿ ಮಾಡಬೇಕಾಗಿದೆ ಎನ್ನುವುದನ್ನು ಪರಿಶೀಲನೆ ಮಾಡುವುದು ಅವಶ್ಯಕ. ಇನ್ನು ಇರ್ರಿಗೇಟೆಡ್ ಲ್ಯಾಂಡ್ಸ್ ಮತ್ತು ಗಾರ್ಡನ್ ಲ್ಯಾಂಡ್ಸ್‌ನಲ್ಲಿ ಏನೇನು ಪೈರು ಬೆಳೆಯುತ್ತದೆ ಅಥವಾ ಏನೂ ಬೆಳೆಯಾಗದೆ ಇದ್ದರೆ ಅದಕ್ಕೆ ತಕ್ಕಂತೆ ಪರಿಹಾರವನ್ನೇನು ಕೊಡಬಹುದು ಎನ್ನುವುದನ್ನೆಲ್ಲ ಪರಿಶೀಲನ ಬೇಕು.

ಇಷ್ಟು ಹೇಳಿ ಇದನ್ನೆಲ್ಲ ಜಾಯಿಂಟ್ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಪರಿಶೀಲಿಸಬೇಕೆಂದು ಪ್ರಾರ್ಥನೆಮಾಡಿ ನನ್ನ ಈ ಭಾಷಣವನ್ನು ಮುಕ್ತಾಯ ಮಾಡುತ್ತೇನೆ.

Mr. SPEAKER.—The House will now rise and meet after half an hour.

The House adjourned for recess at Ten of the Clock and re-assembled at Thirty Minutes past Ten of the Clock.

[MR. DEPUTY SPEAKER in the Chair]

Sri B. K. PUTTARAMIYA.—I rise to a point of order. Without supplying copies of the Central Act to us, how are we expected to discuss this Bill? I do not think it will be possible for us to discuss this without getting the Central Act

Mr. DEPUTY SPEAKER.—There is no point of order in this. Perhaps, there is no provision for supplying the Central Act.

Sri B. K. PUTTARAMIYA.—Without knowing the Central Act will it be possible for us to give our views on this Bill?

Sri KADIDAL MANJAPPA (Minister for Revenue).—Legislators are expected to know the provisions that are in force already in the Mysore State. The Library has got copies of the Central Act.

Sri B. K. PUTTARAMIYA.—The Library may have one or two copies. We are 208 members. All of us came to this city only yesterday and how is it possible for all the members to go through the Central Act when there are only one or two copies in the Library, and give their views on this Bill ? I think it is the responsibility of the Government to supply us with the Central Act.

Sri KADIDAL MANJAPPA.—The Mysore Land Acquisition Act which is already in force is similar to the Central Act and hon'ble members are conversant with the provisions of that Act.

Sri B. K. PUTTARAMIYA.—You say that they are similar but there is no proof of that. There may be some difference between the two Acts. Without knowing the provisions of the Central Act is it fair on the part of the House to discuss this Bill?

Mr. DEPUTY SPEAKER.—As I have already said, there is no point of order in this.

†Sri V. SRINIVASA SHETTY (Coondapur).—Sir, I thought this was a very non-controversial Bill and there would not be much difficulty in sending this Bill to the Joint Select Committee. *Prima facie*, I concede that this Bill is a necessary measure in view of the fact that vast development works are held up because of the difficulties in land acquisition proceedings. Though I do not know the reasons which prompted the Government to bring this Bill, I believe the main reason is to facilitate the land acquisition proceedings for developmental works. So I thought that at least the ruling party on the other side would welcome this Bill, but the greater number of speakers who spoke from the other side seem to vehemently oppose certain provisions of the Bill and that put me on the track. Of course, I come from a District where usually the Opposition members are not made the targets of land acquisition proceedings. This is a new thing to me, but when I made certain enquiries and investigations I found that at least in certain parts of this State especially old Mysore, political vendetta was wreaked through land acquisition proceedings. It is not only the opposition members who gave this startling piece of information to me, but even the members of the ruling party seem to think that this Bill could be a very dangerous weapon in the hands of a very unscrupulous Government. I am not saying that the present government is a very unscrupulous government at all, but it is possible and time and again land acquisition proceedings have been used to wreak vengeance on political opponents. So, if past conduct is any guide, we must be very careful in framing a Bill which may give such a handy weapon in the hands of an unscrupulous government. I listened to the speech of the Hon'ble member, Sri Baliga, yesterday and I concur with most of the things that he said in the House.

The most obnoxious provisions of this Bill are one or two clauses. Clause 7 seems to me to be quite unnecessary. What the Government have done in this particular case is that they have picked up certain provisions from the Madras Act and certain provisions from the Bombay Act which suited their purpose. Possibly, these provisions are the most dangerous ones

(SRI V. SRINIVAS SHETTY)

which, as I have already said, might be used to the detriment of certain opponents of the ruling party, whichever be the party that is ruling. For example, clause 7, to my mind, is absolutely unnecessary. It reads:

> ".....Provided that no such award shall be made by the Deputy Commissioner, without the previous approval of the State Government or such officer as the State Government may appoint in this behalf who in the case of an award made by an officer below the rank of the Deputy Commissioner of a district, may be the Deputy Commissioner of the District."

As the Hon'ble Member Sri Baliga said yesterday.....

Sri S. D. KOTHAVALE (Chikodi).—How can this provision be used as political vendetta?

Sri V. SRINIVAS SHETTY.—Then, why should the Government come into the picture in the matter of land acquisition proceedings? How the State Government has been working for all these days, we have been seeing. If a gentleman who has got political influence comes and wields his influence here, with the Government, anything could be got done. That we are seeing day in and day out. Even big political persons are coming and influencing the Government. When it is the duty of the local officers to do these things, they are being done at the State level. When I am not in the good books of Sri Kothavale, he may come here and ask the Government to acquire my lands. The best principle is that the man on the spot—Deputy Commissioner—should be given a free hand. Why the State Government should come every time in the way, I fail to understand. I am proud to say that we have inherited several good principles of administration from the British. British administration says that the man on the spot should be given certain independence in such matters. Why should the State Government come nto this picture at all? Whether good or not, we are having a party Government here and when the party seeks to take vengeance on any person, anything can be done. Yesterday, we heard that a police officer had reported that he arrested an Hon'ble Member, but the Member says that he was not arrested at all.

Sri S. D. KOTHAVALE.—It would be better if reference to that is not made. It is a serious matter.

Sri V. SRINIVAS SHETTY.—What I say is: why should we give a handle to the party government to do this mischief? Why should Government interfere every time in the land acquisition proceedings initiated by the Deputy Commissioner? I do not understand why this is necessary at all. The Central Act is already there without such a provision. It is an obnoxious provision here. It is unnecessary, unwanted and it is a dangerous weapon in the hands of the party Government.

The other clause is 15-A. Under clause 10. It says: "Power of State Government to call for proceedings and pass orders thereupon.—

> "The State Government may, at any time before an award is made by the Deputy Commissioner under section 11, call for and examine the record of any order passed by the Deputy Commissioner or of any inquiry....." etc.

I do not know why this provision is there. A civil award is subject to an appeal and the Deputy Commissioner, after all, is a subordinate of the Government. He can be influenced in so many other ways. Why this specific modification has been put in here, I fail to understand. I am not against Clause 11 which is a modification of the section 17. Certainly it is a salutary provision which is absolutely necessary. I am also taking part in the developmental works and I am very much interested that these developmental works should be hurried up. But, Government should not interfere in the day-to-day administration work. Government should not only be fair but they should be fair to the other persons who are not friendly

with the party in power. The only clause which I very much welcome is clause 11. Very many developmental works are held up because of the land acquisition proceedings. The Central Act is not so easy and it takes a lot of time. Therefore, I have several times cried myself hoarse that these things should be done more expeditiously. But, let it not be understood that I welcome all the provisions in the Bill which give a handle, as I said, to an unscrupulous Government to wreak vengeance on the opponents as it has been said time and again in this House.

One more thing I wish to suggest is that clause 11 is not all-comprehensive. I wish to suggest to the Select Committee to make it more comprehensive. For example, in sub-clause (b) it is said :

> "Whenever in the opinion of the Deputy Commissioner, it becomes necessary to acquire the immediate possession of any land – (i) for the purpose of any library or educational institution, or (ii) for the construction, extension or improvement of any building"...etc.

There are many other things for which it is absolutely necessary that the lands should be acquired in certain places. For, instance, construction of hospitals. If it is necessary, we should acquire land for the construction of libraries, etc. and also for hospitals and other institutions. So, I suggest that the clause may be made comprehensive to include libraries, hospitals and educational institutions and any others for which it may be found necessary to acquire land. In this clause it is said that lands may be acquired for the dwelling houses for the poor or any irrigation or drainage work or any well, or any road. I know recently the High Court have held that this emergency clause should be applied very cautiously. There should be some measure of caution also. Though it is worded that whenever in the opinion of the Deputy Commissioner, (the Deputy Commissioner also means the Assistant Commissioner) it becomes necessary..."... generally, it is only the Tahsildar or the B.D.O. who will do this. How far the Deputy Commissioner or the Assistant Commissioner applies his mind to these things is a moot point. If you say that emergency clause should be applied to all and sundry, for several works in the village, then we do not know what happens. Suppose, this clause is applied on political lines. Friends here have given the instance of Shimoga.

Sri KADIDAL MANJAPPA.—Sir, what is said is not correct. The person has not been paid compensation and he has filed a writ petition.

Sri V. SRINIVAS SHETTY.—I personally do not know any of these things, but several allegations have been made here. I would not say whether this Ministry is going to do it or not. But, you should not create an impression that these things could be done.

Sri B. D. JATTI (Chief Minister).—That is correct; but the allegations made have no basis at all.

Sri V. SRINIVAS SHETTY.—Sir, I have not much grouse about the payment of compensation expeditiously or some delay in the payment or about the fixation of compensation. If it is 4½ or 5 or even a little less, I do not mind it. It is a question of a few rupees after all. It does not matter.

One more thing which I should take very serious objection to is that the Government have retained powers under clause 19. It does not even say 'make rules'. There is what is called delegated legislation by way of rules. Though the legislators have no time or patience to go through the rules before they come into effect, at least there is a provision. Some member might look into the rules and point them out in the Assembly. It is not even a case of making the rules and placing them before the Assembly. It is a wholesale legislation by backdoor methods. The whole Act can be amended even without the notice of the members of the House.

> "If any difficulty arises in giving effect to the provisions of this Act, or of the principal Act, as extended by this Act in their application to the territories of the State of

(SRI V. SRINIVAS SHETTY)

Mysore or any area therein in consequence of the transition to the said provisions from the corresponding provisions of the Acts in force therein immediately before the commencement of this Act, the State Government may, by order published in the official Gazette make such adaptations or modifications of the said Act not affecting the substance or make such provisions as appear to it to be necessary or expedient for removing the difficulty."

I belive as a humble lawyer that this may be subject to correction by a court of law, because there is one phrase here "not affecting the substance". The Court may come to the conclusion that it affects the substance of the provisions. Then how many of us are in a position to go to the High Court and fight the Government?

Sri KADIDAL MANJAPPA.—We have passed a similar provision in the case of a Bill passed recently.

Sri V. SRINIVAS SHETTY.—One mistake does not justify another mistake. I did not support that Bill. This provision is a very dangerous one. As delegated legislation it introduces a very dangerous piece of law because it introduces all sorts of mischievous elements into the legislation. This is an obnoxious piece of legislation which should be deleted. Even sub-clause (2) says a similar thing. I make an appeal to the Government not to retain this clause. At least modify and give ample opportunity to this House at least to say whether this is right or wrong. As you do in the case of other Bills, rule-making powers should be retained there and the rules may be placed before the House to say whether this is right or wrong. I agree with clause 17 relating to amendment of section 45 of the Central Act so that there may be expeditious acquisition of lands not for political vendetta but for development works which are absolutely necessary.

Sri S. D. KOTHAVALE.—Mr. Speaker, Sir, in rising to support the Bill and the general principles underlying the same, and before dealing directly with the subject proper, I would like to say a word or two in relation to certain remarks that were made by the Hon'ble Leader of the Opposition. I was very much surprised that he attributed motives which could never be attiributed to any Government as such. According to him, political vendetta is the actuating motive while certain amendments have been proposed to the present Bill.

Sri V. SRINIVAS SHETTY.—I said that these provisions had been used by certain Governments to wreak political vendetta. I never attributed any motive.

†Sri S. D. KOTHAVALE.—If that is the view expressed by the Hon'ble Member, that is something; but the point is. whenever Government is charged with administration, executive power is limitable. Any political consideration will not be liked by anybody. There are enough means at the disposal of the members of the Legislature to raise a debate and interpellations can be asked and explanations sought; there are so many ways of doing it. Therefore, to say that certain provisions are likely to be used for political reasons, for the purpose of attacking the provisions of the present Bill, is not correct and I think this idea may kindly be borne in mind while considering this Bill before the House.

Sri C. J MUCKANNAPPA (Gubbi).—What happened in Kerala? Your people attacked the then Government.

Sri S. D. KOTHAVALE.—I need not reply to questions about Kerala. We have not sufficient knowledge of things which happened there. I think we are not sufficiently posted with facts relating to Kerala. I think my friend will see that it is futile to raise such a discussion here and it is irrelevant. The position therefore is that we have to consider the major provisions on their own merits. I do not think that such controversy would be justfied in the case of the present measure. If

the original Act I of 1894, the Land Acquisition Act had been studied properly, much of the debate that is taking place would have been avoided. Act I of 1894 deals with land acquisition and deals in two parts principally. One part is regarding the investigation of acquisition itself and the other part concerns with the compensation aspect. In regard to acquisition aspect, it is proper that the executive should enjoy certain powers that are envisaged in the Bill itself and I think that point will be conceded by all reasonable men The point is whether the amendments that are sought to be made to the original Act, the Indian Land Acquisition Act, are justified or not. Much objection is taken to clause 7. The Leader of the Opposition said that this was not necessary. I was of course thinking on the same lines as the Leader of the Opposition but on second thought I have come to think that retention of this amendment is necessary. One reason is while estimating the compensation amount, the officer, whether he be the Deputy Commissioner, or the Assistant Commissioner sometimes overestimates the compensation. I am not attributing any motive but in certain cases it so happens that in order to favour the party, the compensation amount becomes inflated. Under such circumstances, there is no remedy available under the Act to rectify that aspect. I am speaking from personal experience. In my own taluk certain portions are sought to be acquired for the purpose of re-aligning the Poona-Belgaum Road. I do not think I should give out the names. It would be a surprising thing to know that a certain portion of land with a few mango trees is sought to be compensated by an amount of Rs. 25,000. I do not know whether this aspect was brought to the notice of the Minister for Public Works when he visited my taluk. I do not know what happened subsequently, whether any steps have been taken. Even then the party concerned is not satisfied, I am told. If a land with a few mango trees is worth Rs. 25,000 and more, I fail to understand how the party concerned can be aggrieved. In such a case, the private party who is dissatisfied with the compensation amount might request the Deputy Commissioner to refer the compensation aspect to the Government.

11 A.M.

There is no power as it is for the Government to see that proper compensation is paid to the party concerned. Therefore, I think it is in the fitness of things that the amendment contemplated under clause 7 is necessary.

Sri C. K. RAJAIAH SETTY (Chicknaikanahalli).—You expect the Deputy Commissioner to overestimate the value. Cannot the same attitude be expected of the Government also ?

Sri S. D. KOTHAVALE.—My learned brother should wait for that. This provision is an amendment to Section 11 of the Principal Act and it will meet such cases. The Hon'ble Member just now asked me a question as to what should be done if the compensation was under-estimated. This is an amendment to the main section of the principal Act. There is a provision that in case the interested party is dissatisfied with the compensation, he can request the Collector or the Deputy Commissioner to refer that point to the Court and a reference has got to be made. The court in that case may take into consideration all the factors which are mentioned in Sections 23 and 24 of the Principal Act. I think there will be thus no difficulty. If the party is still dissatisfied with the award made by the Court, there are provisions in the Act to permit an appeal to the High Court and also a second appeal.

Mr. DEPUTY SPEAKER.—Only 10 minutes are left for the Hon'ble Minister to reply.

Sri S. D. KOTHAVALE.—I shall be brief. Section 54 provides for an appeal tot he High Court and for a second appeal also. Therefore, no party is likely to be affected adversely by an award of the Collector in respect of compensation. Now, in respect of clause 9 which introduces Section 12A, I am rather very doubtful whether it is justified to correct a clerical or arithmetical error. If such a correction is needed,

(SRI S. D. KOTHAVALE)

under Section 15-A which is sought to be introduced by clause 10, that can be done. The power of revision is there, and necessary amendment can be made. But the provisions proposed under Section 12-A are not justified. Further, that provision does not provide for issue of notice to interested parties and in the absence of notice, it is not correct to correct the award. With regard to last clause 19, I am one with the Leader of the Opposition on this point. We need not give power as regards adaptations and modifications and any amendments. This House is there and the Government have powers of ordinance also. It is not proper that provisions under clause 19 should be thought of.

I think 4½ per cent is reasonable. Yesterday, a plea was made that 6 per cent was necessary. Will it be possible for any man to get to the tune of 6 per cent? It is not a question of borrowing. It is a question of investment. The person is deprived of a certain property and the benefit he was getting from time to time as income. From immoveable property or land, it is not possible to get more than an income of 4½ per cent. I think that should be the criterion and not a question of investment. Therefore the provision of 4½ per cent interest is reasonable particularly in view of the fact that money is much inflated and prices of immoveable property have gone up. With these remarks, for want of time, I have got to close.

Sri KADIDAL MANJAPPA.—Mr. Speaker, I have followed the debate very carefully. I never expected that a harmless measure like the one before the House would generate so much heat as it did in the case of Sri Muckannappa. He made some irrelevant and unwarranted remarks against the Government. After listening to his speech, I came to the conclusion that Sri Muckannappa had something to say against the Government and he took this opportunity to condemn the Government. It is a harmless measure as I am pointing out presently.

Sri C. J. MUCKANNAPPA.—Is it only Muckannappa? Did not Sri Baliga also point out defects?

Sri KADIDAL MANJAPPA.—But he did not comdemn the Government.

Sri C. J. MUCKANNAPPA.—Your own partymen have criticised it.

Sri KADIDAL MANJAPPA.—I am on my legs. I am not yielding. We have not introduced anything which is not already in force in certain regions of the Mysore State. While considering a measure of this type, we have to bear in mind two important aspects. One is the need to minimise the delay in completing the acquisition proceedings. Another is the need for introducing certain safeguards so far as expropriated owners are concerned. These are the two main aspects to be borne in mind. Sri Kenchappa while speaking on the Bill was pleased to say that the Government had not done anything to reduce the delay in the disposal of these acquisition cases. Sir, as I was submitting yesterday, in the different regions of the State there are different enactments. Several provisions that you find in the new Bill are to be found in the enactment that is already in force in the Belgaum Division of this State. Sir, with regard to the two clauses which are described as obnoxious, I would like to draw the attention of the Hon'ble Members to Section 15A and Section 11 of the Bombay Land Acquisition Act. May I read with your permission the relevant Sections? I am reading from the Bombay Land Acquisition Act. Clause 11 of the Act reads as follows:

> "Provided that no such award shall be made by the Collector without the previous approval of the State Government or such officer as the State Government may appoint in this behalf."

You may find fault with the Government for incorporating the same provisions that are to be found in the Bombay enactment. You may differ from me. But it is wrong to say that the Government is anxious to retain power because it wants to exercise certain powers with regard to acquisition proceedings. Similarly I would

like to read Section 15A of the Bombay enactment:

> "The State Government may, at any time before an award is made by the Collector under section 11, call for and examine the record of any order passed by the Collector or of any inquiry or proceedings of the Collector, for the purpose of satisfying itself as to the legality or propriety of any order passed and as to the regularity of such proceedings. If, in any case, it shall appear to the State Government that any order or proceedings so called for should be modified, annulled or reversed, it may pass such order thereon as it deems fit."

We are not anxious to retain the provision. I must say that in recent times political parties, political workers and leaders have begun to take an interest in the matter. Pure administrative matters are being converted into political questions. I do not want to mention instances or names where important persons have tried to take interest in these matters. In the interest of the man who is going to be deprived of his land on account of acquisition proceedings, I feel that the Government should retain certain powers. If members suspect the Government which the people have elected, which is responsible to the Legislature, there is no end for the matter. I am not keen on having these powers. Because similar provision is found to exist in the enactment in Bombay, we thought it fit to incorporate it here. If the House is not keen, we are not keen.

Recently I inspected a land which was acquired. The Land Acquisition Officer had awarded compensation at the rate of Rs. 1,000 per acre. A few days after the award, an adjoining land in the same survey number has been sold by the expropriated owner at the rate of Rs. 300 per acre.

Sri C. J. MUCKANNAPPA.—What happened to the Gokak affair?

Sri KADIDAL MANJAPPA.—No doubt acquisition proceedings were initiated in the case of the Gokak land for the purpose of a market yard. After the proceedings started there was a loud complaint from the people that the land was not fit for a market yard because it was coming under submersion during some part of the year and the area was not sufficient. On account of such complaints acquisition proceedings had to be withdrawn.

Sri K. KENCHAPPA (Hiriyur).—Who is to judge whether Government have exercised the power properly or not?

Sri KADIDAL MANJAPPA.—You are there. I am not keen on retaining that power, if the House does not want it. We have made this provision with good intentions.

Some members had alleged that Government was issuing instructions through telephones and that there was interference. I have been in charge of the department for the last three or four months and I have not issued any telephonic or other instructions which would amount to an interference.

Sri C. J. MUCKANNAPPA.—I did not say you did so. Some of your colleagues may do it. I will give instances. Why should the Minister get his feelings unnessarily wounded? He has a conscience. Not so with some others. If all people are like the Minister, we have no objection for such powers.

Sri KADIDAL MANJAPPA.—I was speaking about my knowledge.....

Sri C. J. MUCKANNAPPA.—I said that there were colleagues of yours, who could pull the legs of officers.....

Sri KADIDAL MANJAPPA.—Let there be no distinction made between me and my colleagues.

The other point raised by Sri Mudalagiri Gowda was with regard to Clause 11. I wish to draw attention to Section 17 of the principal Act which gives ample power to Government to apply the emergency clause in any particular case.

Sri C. J. MUCKANNAPPA.—My charge about the Gokak affairs has not been answered. I can prove the charge. The several notifications, etc. are now with me.

Sri KADIDAL MANJAPPA.—Soon after the issue of a notification under Section 6 of the Land Acquisition Act in that case, complaints were received by the Government against the acquisition. The main objection raised was that the site was not suitable for the market yard as there was the constant danger of floods and the market yard was not sufficient for a growing market. The acquisition proceedings were said to have been pushed through without having regard to local conditions. There is no room for further expansion of the present market yard. These were the objections raised by the local people. After listening to all the complaints, after consulting the important people who count there, Government took the decision to withdraw the acquisition proceedings.

Sri C. J. MUCKANNAPPA.—The matter is before the High Court. A stay order has been issued.

Sri KADIDAL MANJAPPA.—With regard to the question of interest, I must inform the House that the interest that is payable both in Madras and Bombay is 4%. We have proposed 4½%. At one time when Government securities were carrying interest at 7% we thought of 6%, but Government securities do not carry interest at 7% now.

Sri Kenchappa and a few others referred to the delay in the payment of compensation. It is true that in some cases there has been undue delay because of certain departments, particularly the local bodies, taking possession of the land without initiating acquisition proceedings. Therefore in order to avoid delay in the payment of compensation, Government have recently taken a decision to pay interim compensation pending final payment of compensaion.

Sri MUDALAGIRI GOWDA.—No such provision is found in the Bill.

Sri KADIDAL MANJAPPA.—It is unnecessary to provide for it in the Bill. Sir, the very fact that Government have come forward with a motion for reference of the Bill to the Select Committee, would indicate that Government is not anxious to keep every provision of the Bill as it is. Government is prepared to accept any reasonable amendment. I submit there is no need for so much heat as far as this measure is concerned. We do not propose to introduce a law, which is not already in force in other places.

Mr. DEPUTY SPEAKER.—The question is:

"That this House concurs in the appointment of a Joint Select Committee of the two Houses consisting of a total number of 18 members, 12 members from the Legislative Assembly and 6 members from the Legislative Council, to consider the Land Acquisition (Mysore Extension and Amendment) Bill, 1958, and the following members of this House shall be the members of the Joint Select Committee:

Sriyuts:

1 D. Devaraj Urs.
2 Dr. A. R. Karisiddappa
3 T. R. Parameshwariah
4 J. Narayanappa
5 Basan Gowda
6 P. G. Sidhanti
7 B. Vaikunta Baliga
8 M. P. Patil
9 Y. Veerappa
10 M. Ramappa
11 Putte Gowda
12 K. Kenchappa"

The motion was adopted.

MYSORE RENT CONTROL BILL, 1959.

Motion to suspend Rule 243.

Sri KADIDAL MANJAPPA (Minister for Revenue).—Sir, I am obliged to make a motion similar to the one made by me yesterday. The same difficulty is there even with regard to this Bill. Yesterday I explained the difficulty. Sir, I move:

"That under rule 322 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly rule 243 be